

ATTORNEY DOCKET NO. PBLI-P05-005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: S. Pestka

Examiner:

This is a Divisional of U.S. Serial No.: 08/489,071

Art Unit:

Filing Date: June 22, 2001

For: MODIFIED INTERFERONS

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I hereby certify that this Application for a Continuation Application is being deposited with the United States Postal Service as Express Mail on the date indicated above and is addressed to: Commissioner for Patents, Attention Box Continuation Application, Washington, DC 20231.

*MICHAEL CROWLEY*  
Name: MICHAEL CROWLEY

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

**PRELIMINARY AMENDMENT**

Please amend the above-identified application prior to examination as follows:

**IN THE SPECIFICATION:**

Please insert the following section on Page 1, line 1 of the specification immediately following the Title of the invention---

#### CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of application serial no. 08/489,071, filed June 9, 1995, which is a continuation of application serial no. 08/257,784, filed June 10, 1994, which is a continuation-in-part of application serial no. 08/076,231, filed June 11, 1993, now abandoned.---

#### IN THE CLAIMS:

Please cancel claims 1-17 and 21-36 without prejudice.

18. (Amended) A purified or recombinantly produced polypeptide comprising an amino acid sequence of human interleukin-2 encoded by a gene from a diseased cell, which amino acid sequence is a modification of the natural human interleukin-2.

Please add the following new claims:

37. The polypeptide of claim 18, which exhibits one of antiviral activity, growth inhibition activity and immunosuppressive activity.

38. The polypeptide of claim 18, which polypeptide is purified or homogeneous.

#### REMARKS

The present application is a divisional application of application serial no. 08/489,071, filed June 9, 1995. The parent application was subject to a restriction requirement, and the claims

MARKED-UP CLAIMS

18. (Amended) A purified or recombinantly produced polypeptide comprising an amino acid sequence of human interleukin-2 encoded by a gene from a diseased cell, which amino acid sequence is [having interleukin-2 activity, being derived uniquely from diseased cells and being] a modification of the natural human interleukin-2 [species].

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

of the present application have been amended to claim a non-elected embodiment in the parent application. Accordingly, early and favorable action on this application is respectfully solicited.

Respectfully submitted,

Dated: 6/25/01

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